



MARY L. SWAIN  
BUTLER COUNTY CLERK OF COURTS  
**IF UNDELIVERABLE**  
**RETURN TO:**  
Butler Co. Clerk of Courts  
ATTN: Issuance  
315 High Street, 5<sup>th</sup> Floor  
Hamilton, Ohio 45011

USPS CERTIFIED MAIL



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LOWES HOME CENTERS LLC  
C/O STATUTORY AGENT CORPORATION SERVICE COMPANY  
3366 RIVERSIDE DR. SUITE 103  
UPPER ARLINGTON, OH 43221

August 5, 2022

Z000055509

CV 2022 08 1330

By: Norma Martin





**MARY L. SWAIN**  
BUTLER COUNTY CLERK OF COURTS

Z000055509

**LOWES HOME CENTERS LLC**  
**C/O STATUTORY AGENT CORPORATION SERVICE COMPANY**  
**3366 RIVERSIDE DR. SUITE 103**  
**UPPER ARLINGTON, OH 43221**

Date: August 5, 2022

Case No. : CV 2022 08 1330

GARY E. LAMB vs. LOWES HOME CENTERS LLC

**SUMMONS ON COMPLAINT BY CERTIFIED MAIL**  
**COURT OF COMMON PLEAS, BUTLER COUNTY, OHIO**

To the above named party: You are hereby summoned to answer a complaint that has been filed against you in the Butler County Common Pleas Court by the plaintiff(s) named herein. A copy of the complaint is attached.

You are required to serve upon the plaintiff(s) attorney, or upon the plaintiff(s) if there is no attorney of record, a copy of your answer to the complaint within 28 days after receipt of this summons, exclusive of the day of service. The answer must be filed with this court within three days after service on Plaintiff's attorney.

The name and address of the plaintiff(s) attorney is as follows:

IGNOZZI, KENNETH J  
131 NORTH LUDLOW ST. SUITE 1400  
DAYTON, OH 45402

If you fail to appear and defend, judgment by default may be taken against you for the relief demanded in the complaint.

**MARY L. SWAIN**  
Butler County Clerk of Courts

By: Norma Martin  
Deputy Clerk

FILED  
MARY L. SWAIN  
BUTLER COUNTY  
CLERK OF COURT  
08/02/2022 03:54 P  
CV 2022 08 1330

IN THE COMMON PLEAS COURT OF BUTLER COUNTY, OHIO  
CIVIL DIVISION

Gary E. Lamb  
8330 Marie Place  
Franklin, OH 45005

Plaintiff,

v.

Lowe's Home Centers, LLC c/o Statutory  
Agent Corporation Service Company  
3366 Riverside Dr., Suite 103  
Upper Arlington, OH 43221

Defendants.

Case No.: \_\_\_\_\_

Judge \_\_\_\_\_

COMPLAINT FOR PERSONAL  
INJURIES WITH JURY DEMAND  
ENDORSED HEREIN

FIRST CLAIM FOR RELIEF

1. Defendant, Lowe's Home Centers, LLC. (hereafter "Defendant"), owned, operated, and/or maintained a store at 3125 Towne Blvd., City of Middletown, County of Butler, State of Ohio.
2. At all times relevant herein, Defendant is vicariously liable for the acts and/or omissions of their employee(s) and/or agent(s) and/or contractor(s) and/or subcontractor(s).
3. On or about August 23, 2020, Plaintiff, Gary E. Lamb, (hereafter "Plaintiff"), was injured as a direct result of being knocked down, the proximate cause of which was a dangerous and hazardous condition created by Defendant, to exist, to wit: an employee hitting him with a line of carts, while he was attempting to exit while in a motorized wheelchair, in the vestibule, provided by the establishment..
4. Defendant's employees and/or agents have a duty to complete work assigned to them in a reasonably safe manner and to exercise reasonable caution/care when completing work so as to not cause injury to guests or business invitees.

5. Defendant's failure to train and/or supervise said employees and/or agents caused and/or substantially contributed to the negligence cited above.
6. As the proximate result of the negligence and liability of Defendant, Plaintiff sustained injuries and damages as follows:
  - a. Bodily injuries including but not limited to neck and upper back pain;
  - b. Great pain and suffering both physical and emotional, and loss of ability to perform usual functions and may cause her further pain and suffering and loss of ability to perform usual functions in the future;
  - c. Reasonable and necessary medical expenses in an amount in excess of \$20,167.00 with future medicals to be determined;
  - d. Miscellaneous out-of-pocket expenses in an amount yet to be determined.
7. The aforesaid negligence of Defendant was the direct and proximate cause of the injuries and damages to Plaintiff.

**WHEREFORE**, Plaintiff, Gary E. Lamb, demands judgment against the Defendant, Lowe's Home Centers, LLC, in an amount in excess of \$25,000.00, plus the costs and interest of this action.

Respectfully submitted,

/s/ Kenneth J. Ignozzi

Kenneth J. Ignozzi (0055431)

Attorney for Plaintiff

Dyer, Garofalo, Mann, & Schultz

131 N. Ludlow Street, Suite 1400

Dayton, OH 45402

Tel: (937) 223-8888; Fax: (937) 824-8630

Email: [kignozzi@dgmsslaw.com](mailto:kignozzi@dgmsslaw.com)

**JURY DEMAND**

Now comes Plaintiff, by and through counsel, and hereby demands a trial by jury on all issues of this matter.

/s/Kenneth J. Ignozzi

Kenneth J. Ignozzi (0055431)

Attorney for Plaintiff

**CERTIFIED MAIL** OH 450

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08/05/2022

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